

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 02 MAY 2005

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To:

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/T2004/000598

International filing date (day/month/year)

29.10.2004

Priority date (day/month/year)

31.10.2003

International Patent Classification (IPC) or both national classification and IPC

B60C1/00, C08L9/00, C08K7/00, C08K3/34

Applicant

PIRELLI PNEUMATICI S.P.A.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Adams, F

Telephone No. +49 89 2399-8511



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IT2004/000598

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IT2004/000598

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-71
Inventive step (IS)	Yes: Claims	
	No: Claims	1-71
Industrial applicability (IA)	Yes: Claims	1-71
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IT2004/000598

- D1: WO 02/10269 A (SOCIETE DE TECHNOLOGIE MICHELIN; MICHELIN RECHERCHE ET TECHNIQUE S.A.) 7 February 2002 (2002-02-07)
- D2: EP-A-1 074 582 (THE GOODYEAR TIRE & RUBBER COMPANY) 7 February 2001 (2001-02-07)
- D3: US 2003/191224 A1 (MARUYAMA TSUKASA ET AL) 9 October 2003 (2003-10-09)
- D4: EP-A-1 273 616 (THE GOODYEAR TIRE & RUBBER COMPANY) 8 January 2003 (2003-01-08)
- D5: EP-A-1 193 085 (THE GOODYEAR TIRE & RUBBER COMPANY) 3 April 2002 (2002-04-03)
- D6: US 2002/095008 A1 (HEINRICH GERT ET AL) 18 July 2002 (2002-07-18)
- D7: EP-A-0 265 070 (UBE INDUSTRIES, LTD) 27 April 1988 (1988-04-27)

- 1). The present application does not satisfy the requirements set forth in Article 33(2) PCT because the subject-matter of the claims is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

The subject-matter of the present claims 1 to 71 is already known from WO-A-0210269 (D1) as cited in the International Search Report (cf. loc. cit.).

- 2). The present application does not satisfy the requirements set forth in Article 33(3) PCT because the subject-matter of the claims is not based on an inventive step in respect of prior art as defined in the regulations (Rule 65(1) and 65(2) PCT).

The subject-matter of the present claims 1 to 71 is obvious for a skilled person from the combination of the teachings of EP-A-1074582 (D2) with each of the documents US2003/191224 (D3), EP-A-1273616 (D4), EP-A-1193085 (D5) or US2002/095008 (D6) (cf. loc. cit.).

The subject-matter of the present claims 42-49 is obvious for a skilled person from the combination of the teachings of D2 with the teachings of EP-A-0265070 (D7).

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B60C1/00 C08L9/00 C08K7/00 C08K3/34

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B60C C08K C08L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/10269 A (SOCIETE DE TECHNOLOGIE MICHELIN; MICHELIN RECHERCHE ET TECHNIQUE S.A;) 7 February 2002 (2002-02-07) page 9, line 5 - page 16, line 3; claims 1-38; examples 1-9 page 16, lines 14-16	1-71
Y	EP 1 074 582 A (THE GOODYEAR TIRE & RUBBER COMPANY) 7 February 2001 (2001-02-07) paragraphs '0023! - '0027!, '0043!, '0045!; claims 1,2,7-10; examples 4,6-8	1-71
Y	US 2003/191224 A1 (MARUYAMA TSUKASA ET AL) 9 October 2003 (2003-10-09) paragraph '0021!; claims 1,2,10; examples 1-5,10-13,17; tables 1,2	1-71
	-/-	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

Z document member of the same patent family

Date of the actual completion of the international search

26 April 2005

Date of mailing of the international search report

04/05/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Adams, F

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 1 273 616 A (THE GOODYEAR TIRE & RUBBER COMPANY) 8 January 2003 (2003-01-08) paragraphs '0014! - '0017!; claims 1-10; example 1	1-71
Y	EP 1 193 085 A (THE GOODYEAR TIRE & RUBBER COMPANY) 3 April 2002 (2002-04-03) paragraph '0018!; claims 1-4; example 1; table 1	1-71
Y	US 2002/095008 A1 (HEINRICH GERT ET AL) 18 July 2002 (2002-07-18) paragraphs '0017! - '0024!; claims 1-4,17,29; example 1; table 1	1-71
Y	EP 0 265 070 A (UBE INDUSTRIES, LTD) 27 April 1988 (1988-04-27) page 12, lines 41-49; claims 1,7-10; examples 1-6 page 13, line 40 - page 14, line 17 page 16, lines 29-45	42-49

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
IT2004/000598

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0210269	A	07-02-2002	AU 1043002 A	13-02-2002
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			BR 0003349 A	13-03-2001
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			BR 0202393 A	29-04-2003
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			BR 0104162 A	07-05-2002
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			JP 4033300 B	02-06-1992
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			JP 63095243 A	26-04-1988
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			JP 1942375 C	23-06-1995
			JP 6076070 B	28-09-1994
			JP 63130482 A	02-06-1988
			DE 3773608 D1	14-11-1991
			EP 0265070 A1	27-04-1988
			US 5006603 A	09-04-1991
			US 5049610 A	17-09-1991

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